

**Middlesex Borough Planning Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
April 30, 2014**

1. Call to Order

Chairperson Andy Galida called the meeting to order at 7:30p.m.

2 .Open Public Meeting Acts Statement

Chairperson Andy Galida read the Open Public Meeting Act Statement.

3. Call to Order

Upon voice count the following members were present- Al Lowande, Andy Galida, Jim Green, Robert Schueler, Ron DiMura, Patrick Corley, Jeff First, Paul Woska and Frank Ryan.

Also present were Board Attorney Ms. Kelly Carey, Board Planner, Mr. Ricci and Board Engineer, Mr. Venezia.

4. Minutes

Member First made a motion to approve the April 9, 2014 meeting minutes with the additional sentence added to page 5 that was requested by Member Galida, seconded by Member Lowande. Vote: Member Lowande- yes, Chairperson Galida- yes, Member Green- yes, Member Schueler- yes, Member DiMura- yes, Member Corley- abstain, Member First-yes, Member Woska- yes, Member Ryan-abstain. Motion passed.

5. Memorialization of Resolution

P2013-07

National Dust Control

200 Blackford Ave

Block 290 Lot 1

Member Lowande made a motion to approve the site plan with conditions defined in the Resolution, seconded by Member DiMura. Vote: Member Lowande- yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member DiMura-yes, Member

Corley-abstain, Member First- yes, Member Woska-yes, Member Ryan-abstain. Motion passed.

6. New Business

P2014-01

Stewart Robel

205 Runyon Ave

Block 262 Lot 42

Mr. Edward Johnson Jr. ESQ gave a history of the application that had appeared before the Planning Board last year.

Mr. Johnson stated that the council had changed the zone from R4 to R60B in February 2014 as the correction.

Mr. Johnson stated that his client is now reapplying to the Planning Board for the subdivision.

Ms. Carey duly swore in Mr. Stephen Fisk, 631 Union Ave, Middlesex as Planner, Surveyor.

The Board accepts Mr. Fisk as an expert having been in front of the Planning Board numerous times.

Mr. Fisk stated that the property is located on the corner of Runyon and Grove Ave.

The property has 18,750 sq. ft. the R60B zone requires a minimum of 6,000 sq. ft.

Mr. Fisk stated that single family and two family dwellings are permitted in this zone.

The applicant is seeking 3 waivers regarding installing sidewalks, curbs and installing 2 shade trees per lot.

The applicant will contribute \$300 per tree for a total of \$600 to the Shade Tree Fund.

Mr. Fisk stated that the waivers of sidewalks and curbs were granted in 2013.

Mr. Fisk stated that the agreement regarding the trees was previously decided in 2013.

Mr. Fisk stated that the two family dwelling will be limited to 3 bedrooms on each side and there is a note on the plan that reflects this.

The Board discussed the waiver of the sidewalk and curbing in relationship to the other surrounding properties.

Chairperson Galida opened the meeting to the public.

There being no questions or comments regarding this application, he closed the public portion for this application.

Board Members were satisfied with the waiver requests.

Member First made a motion to accept the subdivision with the waivers being granted, seconded by Member Schueler. Vote: Member Lowande-yes, Member Galida- yes, Member Green-yes, Member Schueler- yes, Member DiMura-yes, Member Corley-yes, Member First- yes, Member Woska- yes, Member Ryan-yes. Motion passed.

7. Old Business

P2013-03

Discenza

421 Lincoln Blvd.

Block 295 Lot 51

Member Ryan obtained the disk of the March 12, 2014 meeting and listened to this application.

After the last meeting the Planning Board Members drove by the property.

Mr. Discenza removed the tarps on the shed.

Member DiMura commented to Mr. Discenza stating that he disregarded the permit processes, the sidewalks and curbs all already done, and it was very frustrating.

Mr. Discenza stated that he was not going to have the curbs and sidewalks done until after he had approvals but the contractor had done another job and included his.

Mr. Whitelaw explained that the applicant had received a summons and also needed County approval for the work that was done.

Mr. Whitelaw stated that his client is aware that he might have to remove the sidewalk and curb and have it re done if the County does not give the approvals.

Member Ryan asked if there were open permits pertaining to this property.

The Board discussed the open permit issues with this property.

Member Schueler made a motion to proceed with the application, seconded by Member Lowande. Vote: Member Lowande- yes, Member Galida- yes, Member Green-yes, Member Schueler-yes, Member DiMura- no, Member Corley- yes, Member First-no. Motion passed.

Member Schueler questioned the 8ft fence.

Mr. Gazzale stated that the fence is not in compliance.

The Board discussed the solid fence that is currently screening the outside freezer.

The Board discussed the shed located on the property.

Member First commented that the applicant should take down the shed, Members Lowande, Woska also agreed.

Mr. Gazzale gave the Board a photo of the shed on the property which was entered as Exhibit A1.

Member Lowande stated that the applicant should remove and replace with a better shed.

Mr. Ricci commented that the shed is not permitted in the location, it's the Board decision regarding the shed but recommended further enhancement.

Mr. Venezia commented that there is a covering from the ground to about 8 ft. high and that the metal underneath should be painted to match the covering.

Chairperson Galida stated that the Board is recommending that the shed be replaced.

Mr. Whitelaw stated he would consult with the applicant and take the comments from the Board regarding the shed.

Mr. Venezia stated he would need to see on the plans the location of the shed.

Chairperson Galida asked about the dumpster on the property.

Member First stated that he had witnessed an employee bringing the trash to the dumpster at his other site.

Member DiMura recommended that this property have a dumpster.

Mr. Whitelaw asked for the Board comments regarding the fence and landscaping in front of the outside freezer.

The applicant will return to the Board with revised site plans showing; dumpster on the property, new shed in a different area, freezer with 5ft setback, fence and vegetation for screening for freezer.

Member DiMura asked about the parking area having more gravel and re-grading.

P2014-01
900 South Ave LLC
900 South Ave
Block 269 Lot 1

Mr. Schnitzer stated that the applicant had appeared before the Board on April 9, 2014 and that revisions were requested.

Mr. Titus started to review the changes that were requested by the Board.

Mr. Titus stated that site plan show the AASHTO triangle, the additional lighting on the plan.

The lights will be high pressure sodium lights that will be orange/yellow.

Mr. Ricci confirmed that the lights will be from dusk to dawn, so the note on the plan should be changed.

Mr. Schnitzer stated that there would be 5 lights altogether.

Ms. Carey duly swore in Lee Armenti.

Mr. Armenti stated that he had contacted PSE &G regarding the lighting plan.

Mr. Ricci questioned if Mr. Armenti knew the wattage of the lights and was concerned with the surrounding areas not just the site.

Mr. Venezia stated his concerns with the lighting and Wilton Ave.

The Board reviewed the fencing around the property.

Mr. Titus stated that the gate was modified on the plan.

The Board and the Applicant discussed the fencing in detail; the applicant wanted to keep the existing fence with the barb wire and the Board Members were in favor of replacing the fence completely.

Mr. Ricci stated that the existing fence is the worst looking fence he has seen.

Mr. Ricci referenced 420-62 I

Electrically charged fences are specifically prohibited in all districts. However, barbed wire or similar fences may be permitted in CLW and IND Zones, provided that said fence is not located within a required front yard area, and further provided that the barbed wire is not located below a height of eight feet.

[Amended 6-29-1993 by Ord. No. 1285]

Member DiMura asked how many Board members would like a new fence, Members DiMura, Schueler, Lowande, Woska, First were in agreement.

Chairperson Galida stated the Board would like a completely new fence.

Member DiMura asked about the recycled asphalt material that would be used to level the site, stating that the property is filled with mud and ruts.

Mr. Titus stated that note #5 references the 3 inch clean stone to be used.

Member DiMura questioned the number of parking spots and how would he keep the contractors in line without striping the parking spots.

Member DiMura stated that this plan would only work if the lot was paved; he also questioned how the snow removal would be handled.

Mr. Schnitzer stated that the parking lot would not be utilized 100%.

Member DiMura stated that the Board has to see the site being used 100% and he would like the lot to be paved and lined.

Mr. Schnitzer stated that the landlord has to make the site plan work.

Member DiMura questioned the concrete slabs and suggested the slabs be removed.

Mr. Schnitzer questioned the Board about keeping the three sides of the fence with barb wire and repair the fence.

The Board stated that the applicant should install a new fence.

The applicant stated that he will install a new 8ft fence with 3 sides having barb wire.

Chairperson Galida opened the meeting to the public.

There being no members of the public, Chairperson Galida closed this portion of the meeting.

Mr. Schnitzer gave his closing statements on this application.

Chairperson Galida asked the Board Members for comment on this application.

Member DiMura stated he disagreed with Mr. Schnitzer, that doesn't improve the site and was not in favor of the application.

Member Schueler stated he had concerns with the gate, did not want to see barb wire on the frontage of the property, landlord would only be present to open and close the gate.

Member Green agreed with Member Schueler's comments.

Member First made a motion to approve the site plan, seconded by Member Schueler.
Vote:

Member Lowande- yes, Member Galida-yes, Member Green-yes, Member Schueler-yes, Member DiMura-no, Member Corley- abstain, Member First- yes, Member Woska-yes, Member Ryan-abstain. Motion passed.

8. Board Member Comments

Chairperson Galida commented on an email he received concerning the Redevelopment Study.

Board Members discussed hearing the presentation from Mr. Ricci at a special meeting May 28, 2014.

Ms.Carey and Mr. Ricci stated the noticing requirements that would need to be done.

A. Zoning Report

This report was accepted at the last meeting and can be taken off the agenda.

B. Review of Ordinance 1836 and 1837

Member DiMura gave a brief background on these ordinances. He stated that currently the ordinance does not allow for storage containers but many businesses in Middlesex are using them.

Member Schueler stated that the Council wants a recommendation from the Planning Board.

Currently the ordinance does not allow for any storage containers but if they would be allowed should these containers need to be screened.

Mr. Ricci stated that these are typically not permitted in other towns.

Board Members commented that a time limit might be a possibility; to end the use of the containers so that the owners would have time to make arrangements.

Board Members discussed that business owners could rent out commercial spaces.

Chairperson Galida tabled this ordinance review until the next meeting.

C. Proposed Amendments to Land Use Ordinances

These items were not discussed at this time.

There being no further business Member Lowande made a motion to adjourn the meeting at 10:29pm, seconded by Member Schueler. Vote: All in favor. Meeting adjourned.

Secretary

Clerk